

# **EXHIBIT E**

# Adopting a Policy to Restrict Advertising on Street Furniture and City Buildings



## PROPOSITION K

Shall it be City policy that the City should not increase the number of general advertising signs on street furniture and City-owned buildings?

YES



NO



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The City regulates, through its Municipal Code, general advertising signs on structures in public spaces, such as transit shelters, kiosks, benches and newspaper racks. The City also contracts with private companies to provide facilities such as toilets and transit shelters in public places and authorizes those companies to sell advertising space on or around these facilities.

In 2002, the voters adopted an ordinance that prohibits new general advertising signs on all buildings in the City, including City-owned buildings, that were not on the buildings as of March 5, 2002.

**THE PROPOSAL:** Proposition K is a Declaration of Policy that the City should not allow any increase in the number of general advertising signs on street furniture, including transit shelters, kiosks, benches and newspaper racks, over the number authorized by City law and through City contracts as of July 1, 2007.

Proposition K also states that the City should not allow an increase in the number of general advertising signs visible to the public on the exterior of City-owned buildings over the number in place as of December 1, 2007.

**A "YES" VOTE MEANS:** If you vote "yes," you want it to be City policy that the City not increase the number of general advertising signs on street furniture and City-owned buildings.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to adopt this Declaration as City policy.

## Controller's Statement on "K"

City Controller Edward Harrington has issued the following statement on the fiscal impact of Proposition K:

Should the proposed policy statement be approved by the voters, in my opinion, it would not in and of itself impact the cost of government.

However, if the City chose to enact the restrictions on general advertising in the policy statement, it could affect some programs that public agencies use to generate revenue. For example, the Municipal Transportation Agency (MTA) currently allows advertising on a portion of its transit shelters and is developing a new contract that would expand the program. If no new shelters with advertising are allowed, the amount of lost revenue to MTA could be more than one million dollars annually for the 20-year period of the contract.

## How "K" Got on the Ballot

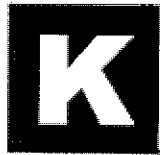
On August 3, 2007 the Department of Elections received a proposed declaration of policy with supporting signatures from Supervisors Daly, McGoldrick, Mirkarimi and Peskin.

The City Elections Code allows four or more Supervisors to place a declaration of policy on the ballot in this manner.

## THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 115.  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 36.





# Adopting a Policy to Restrict Advertising on Street Furniture and City Buildings

This disclaimer applies to the proponent's argument on this page and the rebuttal to the opponent's argument on the facing page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi and Peskin; oppose the measure: Supervisors Alioto-Pier, Dufty, Elsbernd and Jew; take no position on the measure: Supervisor Sandoval.*

## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION K

Vote Yes for Prop K.

The plain truth is that San Francisco voters want to preserve San Francisco's unique beauty. In 2002, an overwhelming 79.1% of San Francisco voters voted to protect the overall quality of life, protect the environment, and limit visual blight on **private** property by approving Prop G, the "No New Billboards" initiative.

However, the creeping commercialization of our **public** spaces continues, as so-called "street furniture" of all shapes and sizes continue to appear, replete with garish odes to cell phones or automobiles or lipsticks. Prop K will reaffirm and will further the mandate of the San Francisco voters, by limiting the advertising that assails the senses on a daily basis.

Prop K will ask city officials to limit the advertising spaces that plaster transit shelters, kiosks, other street clutter and buildings in our public spaces to the current quantity.

This is the only way we are able to keep the spirit of the voter wishes. Though the street furniture continues to grow in number, the advertising blight will not advance.

Don't let the advertising community co-opt your public property. Continue San Francisco's fight against blight. Continue the fight against targeted advertising and marketing on San Francisco property. Continue the fight against visual clutter.

Vote Yes on Prop K.

*Jake McGoldrick, Board of Supervisors  
Aaron Peskin, President of the Board of Supervisors  
Ross Mirkarimi, Board of Supervisors  
Chris Daly, Board of Supervisors  
Sophenia Maxwell, Board of Supervisors  
Tom Ammiano, Board of Supervisors*

## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION K

Don't allow the proponents' anti-business bias deprive San Franciscans of more bus shelters and esthetically pleasing newspaper racks.

The City needs more bus shelters for our seniors, the disabled, and workers who rely on Muni for transportation. In addition, the new newspaper racks are sturdy and give our streets a much cleaner look.

Companies that profit from the advertising revenue provide street furniture and the required maintenance to the City free of charge. They also help to subsidize essential services, such as Muni. If the advertising companies chose to get out of the business of bus shelters, the City would have to furnish and maintain the bus shelters, newspaper racks, and kiosks.

San Francisco already has a \$6.06 billion budget, resulting in per-capita spending for every San Franciscan that is among the

nation's highest. Even with this spending, our streets and parks are in terrible shape and the buses don't run on time.

Why depend on the people who cannot improve and maintain our streets and parks and are unable to run our buses on time to install and maintain bus shelters and newspaper racks?

Furthermore, Prop. K is so poorly worded that it could also ban promotions for upcoming events such as the recent All-Star game at AT&T Park, the Chinese New Years, St. Patrick's Day, and Italian Heritage Parades, and the San Francisco AIDS Walk. Is this what San Franciscans want?

Vote No on Proposition K.

*San Francisco Republican Party*

To learn more about the SFRP, visit [www.sfgop.org](http://www.sfgop.org).

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# Adopting a Policy to Restrict Advertising on Street Furniture and City Buildings



## OPPONENT'S ARGUMENT AGAINST PROPOSITION K

### VOTE NO ON PROPOSITION K

This vaguely written proposition, which calls upon the City to freeze "general advertising" on City owned and leased property, does not define what "general advertising" is being limited to.

For example, could this include special event banners such as the All Star Game banner that hung on City Hall, issue advocacy, political campaign signs, or non profit and/or charitable appeals?

Proposition K was submitted late in the afternoon on the last possible day with no public hearings nor economic impact studies, nor its legality validated as it relates to advertising by businesses, governmental agencies, advocacy groups, and political campaigns.

This makes Proposition K a prime example of why public hearings should be required of ballot measures submitted by the Mayor or Supervisors.

Proposition K could cost the City government more than 20 million dollars, according to the Controller's statement.

The voters need to reject Proposition K and protect our City's future economic vitality.

*San Francisco Republican Party*

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION K

The only vague thing here is the opponents' argument against Prop K. The Planning Code does have a specific definition for general advertising signs, which does not include banners or advocacy appeals or limit freedom of speech.

As a policy declaration, this NON-BINDING legislation is merely a reiteration of the San Francisco voters' will. When city officials sell advertising on city property, this declaration will ask those who broker public space to not sell off pieces of San Francisco.

The tired and apocalyptic argument that the economy will suffer from limiting the blight and visual pollution is as untrue today as it was when the advertisement community whined about 2002's Prop G, where San Francisco voters said NO new billboards in San Francisco.

Through the basic economic principle of supply and demand, San Francisco did not go bankrupt. The ad pushers simply man-

aged to stay within the confines of what already existed without intensifying and further blighting the city.

You have a choice here. Tell the San Francisco city officials to keep San Francisco Beautiful.

Limit the pollution.

Limit the commercial clutter.

Vote Yes on Prop K.

*Jake McGoldrick, Member of Board of Supervisors  
San Francisco Beautiful*

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# Adopting a Policy to Restrict Advertising on Street Furniture and City Buildings

## PAID ARGUMENTS IN FAVOR OF PROPOSITION K

### VOTE YES ON PROP K: "STOP NEW BILLBOARDS ON PUBLIC PROPERTY"

Proposition K gives voters an opportunity to speak out against the increase in rampant commercial advertising on *public* property. Unsightly billboards are increasing on our streets and sidewalks – they blanket bus shelters, newsracks, and kiosks. Our public spaces are for people to use and should not be given over to billboard companies.

ENOUGH IS ENOUGH! Proposition K sends a strong message that the visual beauty of San Francisco needs to be protected and preserved. In 2002, 79.1% of San Francisco voters said no to billboards on private property when they overwhelmingly passed Prop. G, the "No New Billboards" measure. Isn't it time we stop the spread of billboards in our *public* spaces?

Join San Francisco Beautiful and San Francisco Tomorrow and vote yes on Proposition K!

*San Francisco Beautiful*  
Dee Dee Workman, Executive Director

The true source of funds for the printing fee of this argument is San Francisco Beautiful.

### FIGHT THE BLIGHT – Vote YES on Proposition K

This world-class city is forfeiting its unique character to the billboard industry.

PLEASE NOTE: San Francisco is allowing more than **1,100 additional billboards and billboard equivalents** on our sidewalks and in our transit stations – in every neighborhood. Almost all of them will be **illuminated**.

How much more visual blight do we have to take? Your **"YES" vote on Prop. K** tells elected leaders we've had enough!

In San Francisco – the most beautiful city in North America – **we are being treated like consumers, not citizens**. City officials offer us up as a captive audience to Corporate America which then saturates San Francisco with the latest national consumer ad campaigns.

We have the right to go about *our* day-to-day lives on *our* streets without being bombarded with advertising from every direction.

City Hall's slide into the billboard business is sadder still when you consider the miniscule dollars received for abetting visual

blight. Clearly, it adds up to the economics of desperation and poor policy choices.

Each million dollars from a billboard company sounds like big bucks, but isn't. San Francisco's annual budget is \$6.1 billion. Therefore, ***one million dollars keeps the City running for about 86.2 minutes per year***. Yet, we endure increased commercial blight everyday, all yearlong.

Say YES to preserving the unique character and priceless beauty of San Francisco! **Vote "YES" on Prop. K.**

*Milo F. Hanke*  
Vice Chair,  
Graffiti Advisory Board,  
City & County of San Francisco\*

\*For identification purposes only

The true source of funds for the printing fee of this argument is Milo F. Hanke.

### San Francisco Democratic Party Says "Yes" on Prop. K

Prop. K sends a message to halt growing "ad creep" that blights San Francisco streets.

In 2002, 79.1% of voters passed a measure prohibiting new billboards on *private* property. In this election, Prop. K addresses *public* property.

This resolution strikes a fair balance by keeping current ad space on public property in place — thus allowing the City to continue to receive that annual revenue — while telling elected leaders not to sell **additional** sidewalks, transit walls, or other *public* spaces to the billboard industry.

While the City experiences various financial strains, our leaders can and must find alternatives to selling off public spaces.

### Halt visual pollution. Vote "Yes" on Prop. K.

*Scott Wiener*  
Chair, San Francisco Democratic Party

The true source of funds for the printing fee of this argument is Milo F. Hanke.

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# Adopting a Policy to Restrict Advertising on Street Furniture and City Buildings



## PAID ARGUMENTS AGAINST PROPOSITION K

### Vote No on K

Transit shelters, public restrooms, directional signs, clean news racks are now provided at no cost to the taxpayers – in fact the city makes money from these programs.

Proposition K could kill the expanded transit shelter and system wide Nextbus programs, costing MUNI millions of dollars of needed revenue.

**Help make our streets clean and beautiful. Vote No on K.**

*San Francisco Chamber of Commerce*

The true source of funds for the printing fee of this argument is the San Francisco Chamber of Commerce.

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### Don't Threaten Muni Funding Vote No on Proposition K

Prop. K comes across as a well-meaning policy declaration to limit the growth in blatant consumer messages which daily bombard us.

But its true impact would be to damage public transit and current beautification projects citywide. Prop. K would:

### Threaten \$10 million in new revenue for Muni.

Currently, the transit agency (MTA) receives a paltry sum of \$250,000 for ads on bus shelters. That amount would increase to \$10 million annually if the bus shelter contract before the MTA is approved. But we could get nothing if Prop. K passes.

We find it unconscionable that there would be a measure to undermine such a significant source of revenue for public transit.

### Allow for no new transit shelters.

Prop. K, if followed, would cut off funding for new bus shelters, potentially preventing 380 new bus shelters from being built. These shelters are built by a private company and paid for by advertisements.

### Allow for no new newsracks.

It would also stop the very successful newsrack program where the multiple newspaper racks are combined into a single organized (and uniform) rack. This program only exists downtown and could be rolled out to the neighborhoods. If Prop. K passes, it could be stopped.

### Vote No on Prop. K.

For the full analysis, go to [www.spur.org](http://www.spur.org).

*San Francisco Planning and Urban Research (SPUR)*

The true source of funds for the printing fee of this argument is SPUR.

The three largest contributors to the true source recipient committee are: 1. Jean Fraser, 2. Gabriel Metcalf, 3. Jim Chappell.

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**LEGAL TEXT OF PROPOSITIONS I, J AND K**

in addition to existing personnel assigned to the Small Business Commission.

(b) **Funding for FY 2007-08.** The City and County hereby appropriates \$750,000 to fund the first year of operations of the Office of Small Business and the Small Business Assistance Center. The Controller is hereby authorized and directed to reflect the budgetary impact by transferring amounts from any legally available funds.

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## **PROPOSITION J**

It is the policy of the People of the City and County of San Francisco that:

(1) The City should provide a wireless broadband Internet access network ("Wi-Fi Network") serving all parts of San Francisco equally;

(2) The Wi-Fi Network should provide free Internet access for all of the City's residents, businesses, institutions, and visitors;

(3) The Wi-Fi Network's free service should operate at a high speed that fully supports typical home, educational and civic uses of the Internet;

(4) The City should initially provide the Wi-Fi Network through a public-private partnership that utilizes expertise of the high technology sector and minimizes financial risk to the City;

(5) The City should ensure that any private entities with which it contracts to provide Wi-Fi service adhere to privacy policies that offer strong safeguards against the unauthorized sharing of personal information with third parties and against the unnecessary retention of information about Wi-Fi users' locations; and

(6) The City should approve all agreements necessary for providing a City-wide Wi-Fi Network and should implement such agreements as quickly as possible consistent with applicable law.

(7) Private entities negotiating with the City and County should consider in good faith adopting the strongest privacy safeguards against the unauthorized sharing of personal information with third parties and against the unnecessary retention of information about Wi-Fi users' locations, adopting clear service standards for Wi-Fi users prior to finalization of a contract with the City and County, and adopting a reasonable term of contract that avoids a franchise relationship between private entity and the City and County and is beneficial to both parties.

The following factors support the need for a citywide free Wi-Fi Network in San Francisco:

- As technology and telecommunications have advanced, the Internet has become a key tool that individuals use to communicate, access information, and improve their standard of living and quality of life. Broadband Internet access provides individuals efficient access to this life-changing technology.
- Since 2001, the United States has fallen from fourth to fifteenth in the world in the number of broadband subscribers per 100 inhabitants.
- Highly skilled jobs have been exported to countries that have exploited advances in technology and telecommunications.
- These trends, if allowed to continue, will inevitably lead to higher unemployment, loss of competitiveness, and less consumer choice for City residents.
- According to a recent survey conducted by the City Controller, approximately twenty percent of San Francisco residents lack any Internet and computer access at home, resulting in a "Digital Divide" between households with Internet access and those without such access. San Francisco's non-white population is substantially less likely to have home computers and Internet access than the City's white population. Studies further show that limited English-speaking and disabled populations are much less likely to use the Internet and own home computers.

- Lack of computer access, knowledge and skills create a roadblock to obtaining a good education, a better paying job, and a higher standard of living. Free Wi-Fi service can play a significant role in erasing the Digital Divide and fostering Digital inclusion.
- Increasing broadband Internet access will foster community development, economic development, and government efficiency, and will better equip San Franciscans to compete in the global economy.
- The City can further foster Digital Inclusion through Wi-Fi access combined with expanding programs that offer free or low-cost computers, training, and specialized content for those now lacking Internet access.
- A City-wide Wi-Fi Network will ensure that all parts of San Francisco are equally served, not just the scattered "hot spots" that now offer Wi-Fi Service.

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## **PROPOSITION K**

The voters declare that the proliferation of advertising in the public right-of-way contributes to urban blight and visual clutter, as well as the commercialization of public spaces within the City. It is the policy of the voters of San Francisco as follows:

1. There shall be no increase in the number of general advertising signs on street furniture on the public right-of-way, including, but not limited to, transit shelters, kiosks, benches and newspaper racks, over the number authorized by City law and City contracts as of July 1, 2007.
2. There shall be no increase in the number of general advertising signs visible to the public on the exterior of City-owned buildings over the number in place as of December 1, 2007.

